

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ASTELLAS INSTITUTE FOR REGENERATIVE
MEDICINE,

Plaintiff,

v.

IMSTEM BIOTECHNOLOGY, INC., XIAOFANG
WANG, and REN-HE XU,

Defendants.

C.A. NO. 1:17-cv-12239-ADB

Leave to File Granted on 5/27/21

**DECLARATION OF REBECCA L. RABENSTEIN IN
SUPPORT OF ASTELLAS' REPLY IN SUPPORT OF ITS
MOTION FOR ENTRY OF PROPOSED JUDGMENT**

I, Rebecca L. Rabenstein, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am an attorney at Latham & Watkins LLP (“Latham & Watkins”) and counsel of record for Plaintiff Astellas Institute for Regenerative Medicine (“Astellas”) in the above-captioned action. I submit this Declaration, based on my personal knowledge, in support of Astellas’ reply in support of its motion for entry of proposed judgment.

2. Attached hereto as Exhibit A is a true and correct copy of Defendants’ Response to Notice to File Missing Parts of Application & Preliminary Amendment filed with the Patent Office on September 4, 2020 in U.S. Patent Application No. 16/745,944.

3. Attached hereto as Exhibit B is a true and correct copy of Defendants’ Transmittal Letter to the United States Receiving Office and PCT Request form for the ’551 PCT Application (*i.e.*, PCT Application No. PCT/US2013/048291), filed June 27, 2013.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 9, 2021 in Washington, D.C.

/s/ *Rebecca L. Rabenstein*

Rebecca L. Rabenstein

CERTIFICATE OF SERVICE

I hereby certify that this document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing, and paper copies will be sent on June 9, 2021 to those identified as non-registered participants.

/s/ *David P. Frazier*

David P. Frazier